UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/789,404 | 02/27/2004 | Anthony George Burns | 1578.117 (11713-US-PAT) | 5235 |

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| EXAMINER |
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| SHIU, HO T |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2457 | |

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| 03/26/2009 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | **Application No.** | **Applicant(s)** |
|---|---|---|
| ***Office Action Summary*** | 10/789,404 | BURNS, ANTHONY GEORGE |
| | **Examiner** | **Art Unit** | |
| | HO SHIU | 2457 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>13 January 2009</u>.

2a)☒ This action is FINAL.          2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

1.      Claims 1-20 are pending in this application.  Claims 1, 3, 8, 13, 15, -16, and 19

has been amended by applicant's amendment filed on 01/13/2009.  The examiner notes

that claim 19 has been noted as an original claim, however, claim 19 has been

amended and is a currently amended claim.


### *Claim Rejections - 35 USC § 103*


2.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

>  (a) A patent may not be obtained though the invention is not identically disclosed or described as set
>  forth in section 102 of this title, if the differences between the subject matter sought to be patented and
>  the prior art are such that the subject matter as a whole would have been obvious at the time the
>  invention was made to a person having ordinary skill in the art to which said subject matter pertains.
>  Patentability shall not be negatived by the manner in which the invention was made.


3.      **Claims 1, 7, and 11-12 are rejected under 35 U.S.C. 103(a) as being**

**unpatentable over Lynch et al. (US Pub # US 2002/0111972 A1, hereinafter Lynch)**

**in view of Ulrich et al. (US Patent # 6,052,735, hereinafter Ulrich).**


4.      With respect to claim 1, Lynch discloses in a communication network having at

least a mobile node and a home, the home node having a configured desktop manager,

a system for reconfiguring the home-node desktop manager from the mobile node, said

system comprising ([0010], lines 1-10): a configuration status request message

generator selectably coupled to the communication network and configured for

selectably generating status summary requests for transmission to the home node in

order to determine the current configuration of the desktop manager ([0042], lines 1-23);

a reconfiguration message generator selectably coupled to the communication network

for generating a reconfiguration message for reconfiguring the desktop manager,

regardless of whether a configuration status summary request message has been

generated ([0012], lines 1-10, [0015], lines 1-13, [0079], lines 1-8, [0081], [0082]); and

a home-node reconfiguration message generator selectively coupled to the desktop

manager and selectively coupled to the communication network, the home-node

reconfiguration message processor arranged to determine whether changes identified in

the reconfiguration message are logically inconsistent with the current desktop settings,

and to change the desktop configuration according to the reconfiguration message

when it is received from the mobile node ([0010], lines 1-10, [0060], lines 1-26).

Although Lynch discloses the claimed invention, Lynch does not clearly disclose

a desktop email manager capable of automatically effectuating a plurality of different

disposition for different email messages received at the home node, according to how

the home-node desktop email manager is configured, whereby a first type email

message received at the home node from the communication network is automatically

provided a first type of disposition prior to receipt of the reconfiguration message and

provided a second type disposition after receipt of the reconfiguration message, email

messages being unchanged by dispositions, and that the desktop manager is a desktop

email manager.

In the same field of endeavor, Ulrich discloses a desktop email manager capable

of automatically effectuating a plurality of different disposition for different email

messages received at the home node, according to how the home-node desktop email

manager is configured (col. 1, lines 59-67, col. 2, lines 1-18, lines 49-59), whereby a

first type email message received at the home node from the communication network is

automatically provided a first type of disposition prior to receipt of the reconfiguration

message and provided a second type disposition after receipt of the reconfiguration

message, email messages being unchanged by dispositions (col. 15, lines 42-49, lines

50-60), and that the desktop manager is a desktop email manager (col. 4, lines 4-13).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the teachings of Lynch with the teachings of

Ulrich in order to allow the user of the mobile device to dynamically retrieve individual

electronic mail and provides a synchronization architecture which alleviates unwanted

integration of electronic mail messages, such as integration of electronic mail messages

of two or more devices

5.      With respect to claim 7, Lynch discloses wherein the communication network is a

cellular communication network ([0010], lines 1-10, [0059], lines 1-6).

6.      With respect to claim 11, Lynch discloses comprising a reconfiguration server

coupled to the communication network, and wherein reconfiguration message generator

is resident in the reconfiguration server ([0041], lines 1-12, [0061], lines 1-23)


7.      With respect to claim 12, Lynch discloses wherein the mobile node comprises a

Web browser and wherein the reconfiguration server includes at least one Web page for

transmitting to the mobile node ([0059], lines 1-6, [0061], lines 1-23).



8.      **Claims 2-6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable**

**over Lynch in view of Ulrich and in further view of Bucknell et al. (Pub # US**

**2001/0014603 A1, hereinafter Bucknell)**



9.      With respect to claim 2, Lynch and Ulrich do not clearly disclose comprising the

home-node message generator for generating reconfiguration confirmation messages

for transmitting to the mobile node.

        In the same field of endeavor, Bucknell discloses comprising the home-node

message generator for generating reconfiguration confirmation messages for

transmitting to the mobile node (paragraph 0006, lines 3-5, lines 9-15).

        Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the teachings of Lynch and Ulrich with the

teachings of Bucknell in order to fully execute the reconfiguration before using the

reconfigured settings.

10.     With respect to claim 3, it is rejected for the same reasons as claim 2 above. In addition, Ulrich discloses Lynch discloses wherein a disposition is comprised of at least one of: filtering an email message; deleting an email message, replying to an email message; and forwarding an email message (col. 11, lines 52-62, col. 14, lines 65-67, col. 15, lines 1-2)

11.     With respect to claim 4, Lynch discloses wherein the home-node message generator is operable to generate a message for transmission to the mobile station indicating that the changes request in the reconfiguration message can be made ([0042], lines 1-23).

12.     With respect to claim 5, it is rejected for the same reasons as claim 2 above. In addition, Bucknell discloses wherein the reconfiguration messages contain a configuration status summary ([0029], lines 25-30).

13.     With respect to claim 6, it is rejected for the same reasons as claim 2 above. In addition, Bucknell discloses comprising a configuration status summary generator for generating a configuration status summary ([0029], lines 25-30).

14.     With respect to claim 9, Lynch and Ulrich do not clearly disclose wherein the reconfiguration message generator is resident in the mobile node.

In the same field of endeavor, Bucknell discloses wherein the reconfiguration message generator is resident in the mobile node ([0012], lines 1-5, [0020], lines 4-7).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lynch and Ulrich with the teachings of Bucknell in order to efficiently make use of the possibilities a user may want to interact of what devices they want to reconfigure.

15.    **Claims 13, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch in view of Kaplan et al. (US Patent # 7,043,263 B2, hereinafter Kaplan) and in further view of Ulrich.**

16.    With respect to claim 13, Lynch discloses providing a mobile node operable to communicate in the communication network ([0010], line 1-10), generating a reconfiguration message for reconfiguring the desktop manager ([0042], lines 1-23); transmitting the reconfiguration message to the home node via the communication network ([0060], lines 1-26); determining at the home node whether changes identified in the reconfiguration message are logically inconsistent with the current desktop settings ([0010], lines 1-10, [0060], lines 1-26); and selectably performing the reconfiguration requested in the reconfiguration message ([0010], lines 1-10, [0060], lines 1-26).

However, Lynch does not clearly disclose the mobile node comprising a memory device operable to store a current configuration status summary included in a

confirmation message, if any, from the home node subsequent to a reconfiguration; transmitting to the mobile node a configuration status message only if a configuration status summary request message has been received.

In the same field of endeavor, Kaplan discloses the mobile node comprising a memory device operable to store a current configuration status summary included in a confirmation message, if any, from the home node subsequent to a reconfiguration (col. 5, lines 58-61, col. 6, lines 1-6, lines 16-19); transmitting to the mobile node a configuration status message only if a configuration status summary request message has been received (col. 6, lines 1-12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lynch with the teachings of Kaplan in order to know the current status of the device to accurately configure for selected features by another mobile or from a remote computer (col. 3, lines 41-46).

Although Lynch and Kaplan discloses the claimed invention, Lynch does not clearly disclose a desktop email manager capable of automatically effectuating a plurality of different disposition for different email messages received at the home node, according to how the home-node desktop email manager is configured, whereby a first type email message received at the home node from the communication network is automatically provided a first type of disposition prior to receipt of the reconfiguration message and provided a second type disposition after receipt of the reconfiguration message, email messages being unchanged by dispositions, and that the desktop is a desktop email manager.

In the same field of endeavor, Ulrich discloses a desktop email manager capable

of automatically effectuating a plurality of different disposition for different email

messages received at the home node, according to how the home-node desktop email

manager is configured (col. 1, lines 59-67, col. 2, lines 1-18, lines 49-59), whereby a

first type email message received at the home node from the communication network is

automatically provided a first type of disposition prior to receipt of the reconfiguration

message and provided a second type disposition after receipt of the reconfiguration

message, email messages being unchanged by dispositions (col. 15, lines 42-49, lines

50-60), and that the desktop is a desktop email manager (col. 4, lines 4-13).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the teachings of Lynch with the teachings of

Ulrich in order to allow the user of the mobile device to dynamically retrieve individual

electronic mail and provides a synchronization architecture which alleviates unwanted

integration of electronic mail messages, such as integration of electronic mail messages

of two or more devices.


17.    With respect to claim 15, Lynch discloses further comprising the step of

requesting a desktop configuration status summary ([0060], lines 1-26). In addition,

Ulrich discloses a desktop email manager (col. 4, lines 4-13).


18.    With respect to claim 16, Lynch discloses further comprising the step of receiving

the desktop configuration status summary, wherein the step of generating a

reconfiguration message is not performed until the desktop configuration status

summary is received ([0060], lines 1-26). In addition, Ulrich discloses a desktop email

manager (col. 4, lines 4-13).


19.     With respect to claim 17, Lynch discloses wherein the reconfiguration message is

generated in the mobile node ([0010], lines 1-10).


20.     **Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over**

**Lynch in view Ulrich and in further view of Friend et al. (US Patent # 7,243,163 B1,**

**hereinafter Friend)**


21.     With respect to claim 8, Lynch and Ulrich does not clearly disclose wherein the

desktop manager is password protected and wherein the home-node reconfiguration

message processor is operable to determine if a reconfiguration message includes the

password.

        In the same field of endeavor, Friend clearly discloses a unique encryption key

may initially be installed on the wireless device to encrypt communication (column 19,

line 67, column 20, lines 1-3).

        Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made that encrypting a key in a communication device is

needed to secure potential unwanted users accessing information which is not for public

use/knowledge.

22.     **Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch in view of Ulrich and in further view of Bucknell as applied to claims 1 and 9 and in further view of Friend.**

23.     With respect to claim 10, Lynch and Bucknell discloses the claimed invention except wherein the mobile node includes an organizer database may be synchronized with a home-node organizer database over the communication network, and wherein the reconfiguration message is transmitted with the organizer synchronization data.

        In the same field of endeavor, Friend clearly discloses that not only are messages synchronized, but the entire state of the service may be synchronized which may include the creation of new folders, deletion of old folders, filing of messages to folder, reading a message from the device, etc. (column 19, lines 53-61).

        Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lynch, Ulrich and Bucknell with the teachings of Friend since synchronizing a mobile database with the home database is essential such that all information along with programs are kept up-to-date so communication between the databases will have a minimal error while performing any type of task in conjunction with each other.

24.    **Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch in view of Ulrich and in further view of Kaplan as applied to claim 13 and in further view of Bucknell.**

25.    With respect to claim 14, Lynch, Ulrich and Kaplan discloses the claimed invention except comprising the step of receiving a confirmation message indicating that the requested reconfiguration has been made.

In the same field of endeavor, Bucknell discloses comprising the step of receiving a confirmation message indicating that the requested reconfiguration has been made ([0026], lines 1-6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lynch, Ulrich and Kaplan with the teachings of Bucknell in order to fully execute the reconfiguration before using the reconfigured settings.

26.    **Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch in view of Ulrich and in further view of Kaplan as applied to claims 13 and 17 and in further view of Friend.**

27.    With respect to claim 18, Lynch, Ulrich and Kaplan discloses the claimed invention except wherein the mobile node includes an organizer database may be synchronized with a home-node organizer database over the communication network,

and wherein the reconfiguration message is transmitted with the organizer

synchronization data.

In the same field of endeavor, Friend clearly discloses that not only are

messages synchronized, but the entire state of the service may be synchronized which

may include the creation of new folders, deletion of old folders, filing of messages to

folder, reading a message from the device, etc. (column 19, lines 53-61).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the teachings of Lynch, Ulrich and Kaplan

with the teachings of Friend since synchronizing a mobile database with the home

database is essential such that all information along with programs are kept up-to-date

so communication between the databases will have a minimal error while performing

any type of task in conjunction with each other.


28.     **Claims 19-20 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Lynch in view of Ulrich and in further view of Kaplan as applied to claims 13 and
in further view of Zirnstein (US Patent # 7,127,491 B2, hereinafter Zirnstein).**


29.     With respect to claim 19, Lynch discloses requesting a Web page from a Web

site on a server via the communication network ([0044], line 1-8); receiving the Web

page ([0045], lines 1-9; displaying at least a portion of the Web page; ([0045], lines 1-9);

and transmitting the indicated changes to the server ([0044], lines 1-8).

However, Lynch, Ulrich and Kaplan do not clearly disclose interacting with the
displayed portion of the Web page to indicate changes to the home-node desktop
manager.

In the same field of endeavor, Zirnstein clearly discloses if the extracted
command is instead a request for a web page, then command server module selects a
function call to the web browser program module to retrieve the web page
corresponding to the web address provided in the extracted command while the output
data in such would consist of the web page content (column 10, lines 5-11).

Therefore, it would have been obvious to a person of ordinary skill in the art at
the time the invention was made to modify the teachings of Lynch, Ulrich and Kaplan
with the teachings of Zirnstein since a webpage would be incorporated into the device to
execute commands on the home node without having to install any additional
program/software.

In addition, Ulrich discloses a desktop email manager (col. 4, lines 4-13).


30.     With respect to claim 20, Lynch discloses wherein the reconfiguration message is
generated in the server.


***Response to Arguments***

31.    Applicant's arguments with respect to claim 1-20 have been considered but are

moot in view of the new ground(s) of rejection.


### *Conclusion*

32.    Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.  Accordingly, **THIS ACTION IS MADE FINAL**.  See MPEP

§ 706.07(a).  Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

       A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.


33.    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HO SHIU whose telephone number is (571)270-3810.

The examiner can normally be reached on Mon-Thur (8:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


HTS                                                  /Ho Ting  Shiu/
03/20/2009                                           Examiner, Art Unit 2457


/ARIO  ETIENNE/
Supervisory Patent Examiner, Art Unit 2457